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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,608	04/05/2001	Rick Allen Hamilton II	AUS9-2001-0027-US1	4039

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Joseph T. Van Leeuwen
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EXAMINER

BONZO, BRYCE P

ART UNIT	PAPER NUMBER
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2114

DATE MAILED: 06/30/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,608

Applicant(s)

HAMILTON ET AL.

Examiner

Bryce P Bonzo

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2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

NON-FINAL OFFICIAL ACTION

Status of the Claims

Claims 1, 2, 4, 6, 8, 9, 11, 13, 15, 16 and 19 are rejected under 35 USC §102.

Claims 3, 5, 7, 10, 12, 14, 17, 18 and 20 are rejected under 35 USC §103.

Rejections under 35 USC §102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 6, 8, 9, 11, 13, 15, 16 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Maffezzoni (United States Patent No. 6,289,426).

Maffezzoni discloses:

1. A method for duplicating a user environment in a first computer system, said method comprising:

collecting user environment data from the first computer system, the collecting performed by a computer program (column 14, lines 8-20); and

storing the user environment data on a removable nonvolatile media (column 6, lines 27-29).

2. The method of claim 1, wherein the collecting includes:

identifying attributes to include in the user environment data (column 7, lines 8-12).

4. The method of claim 1, wherein the first computer system includes a UNIX operating system (column 21, lines 60-63).

6. The method of claim 1, wherein the user environment data includes at least one of printer definitions, tty definitions, network interfaces, user passwords, and license information (column 7, lines 13-22: Microsoft Office requires license information to operate).

Claims 8, 9, 11, and 13 are the information handling system embodiments of the method of claims 1, 2, 4 and 6 and are rejected on the same grounds.

Claims 15, 16 and 19 are the computer product embodiments of the method of claims 1, 2, 4 and 6 and are rejected on the same grounds.

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Rejections under 35 USC §103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, 7, 10, 12, 14, 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maffezzoni (United States Patent No 6,289,426).

As per claim 3, Maffezzoni does not explicitly disclose:

restoring the user environment data stored by the first computer system onto a second computer system. Maffezzoni does disclose the computer system can change significantly (the hard disk and be replaced after a failure). Further, Maffezzoni clearly prefers the use of Jaz drives, a portable storage medium. The fact the computer can change significantly and the user's data can be recovered is important intimates the potential for loading on a second computer. Thus it would have been obvious to one of ordinary skill in the art at the time of invention to restore the user's data on second computer thus allowing the user to take advantage of the portable storage provided by Maffezzoni.

As per claim 5, Maffezzoni does not explicitly disclose:

wherein the collecting is performed for a plurality of users, each of the plurality of users having one or more accounts on the first computer system. Maffezzoni does disclose the use of the UNIX operating system and high end workstation from HP and Sun. These operating systems typically are used by multiple accounts, specifically a root/admin account and typical user account. These accounts are vital to the working of these operating systems. They are used to control the OS, while the user accounts are used to store user data. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the backing up of plural user and their accounts to the storage medium, thereby protecting both root account data and user account data from loss, making the system more robust on multi-user systems.

As per claim 6, Maffezzoni does explicitly disclose:

loading the removable nonvolatile media in a device capable of reading the media (column 6, lines 53-65);

As per claim 6, Maffezzoni does not explicitly disclose:

said method further comprising: transporting the removable nonvolatile media from the first computer system to a second computer system; and restoring the user environment data from the removable nonvolatile media to the second computer system. Maffezzoni does disclose the computer system can change significantly (the hard disk and be replaced after a failure). Further, Maffezzoni clearly prefers the use of Jaz drives, a portable storage medium. The fact the computer can change significantly

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and the user's data can be recovered is important intimates the potential for loading on a second computer. Thus it would have been obvious to one of ordinary skill in the art at the time of invention to restore the user's data on second computer thus allowing the user to take advantage of the portable storage provided by Maffezzoni.

Claims 10, 12 and 14 are the information handling system embodiments of the method of claims 3, 5 and 7 and are rejected on the same grounds.

Claims 17, 18 and 20 are the computer product embodiments of the method of claims 3, 5 and 7 are rejected on the same grounds.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryce P Bonzo whose telephone number is (703) 305-4834. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bryce P. Bonzo
Bryce P Bonzo
Examiner
Art Unit 2114
